

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOHN RANDALL QUINTERO, *et al.*,
 #93782

Plaintiffs,

vs.

DIRK KLINKE, *et al.*,

Defendants.

3:12-cv-00565-LRH-VPC

ORDER

Three plaintiffs have submitted a *pro se* civil rights complaint and seek class action certification. While plaintiffs paid \$5.00 when they submitted the complaint, they have failed to either pay the \$350 filing fee or submit an application to proceed *in forma pauperis* on the required form. *See* 28 U.S.C. § 1915(a)(1)-(2); Local Rules of Special Proceedings 1-1, 1-2. Accordingly, plaintiffs' action is dismissed without prejudice. If plaintiff(s) wishes to pursue this matter, he or they should file a new action, with a new case number, along with either the \$350 filing fee or a completed application to proceed *in forma pauperis* on the court-approved form. The application must be accompanied by all required financial documentation, as described in the instructions for use of the form. If the new action is filed by more than one plaintiff, each plaintiff shall submit an application to proceed *in forma pauperis*, if he is unable to pay the full filing fee. The Clerk shall refund the \$5.00.

IT IS THEREFORE ORDERED that the Clerk shall **DETACH** and **FILE** the complaint (ECF #1-1).

IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice.

IT IS FURTHER ORDERED that the Clerk **SHALL SEND** plaintiff the approved forms for

1 filing a civil rights lawsuits under 42 U.S.C. §1983, an Application to Proceed *In Forma Pauperis* by
2 a prisoner, as well as the document "Information and Instructions for Filing a Motion to Proceed *In*
3 *Forma Pauperis*."

4 **IT IS FURTHER ORDERED** that the Clerk **SHALL REFUND** the \$5.00 paid in this action.

5 **IT IS FURTHER ORDERED** that the Clerk shall enter judgment accordingly and close this
6 case.

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8 DATED this 7th day of November, 2012.



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LARRY R. HICKS
11 UNITED STATES DISTRICT JUDGE
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